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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CRAWFORD SHAW, an individual,  
  
Plaintiff,  
  
v.  
  
CHINA ARMCO METALS, INC., et  
al.,  
  
Defendants.

2:10-CV-1581 JCM (RJJ)

**ORDER**

Presently before the court is the matter of *Shaw v. China Armco Metals, Inc. et al.* (2:10-cv-01581-JCM-RJJ).

On September 16, 2010, plaintiff filed the instant complaint with this court. (Doc. #1). On February 6, 2011, the clerk of the court instructed plaintiff that the action would be dismissed as to defendants Kexuan Yao, Wen Fengao, Weingang Zhao, Tao Pang, Heping Ma, and William Thomson pursuant to Federal Rule of Civil Procedure 4(m) if he did not file proof of service of process by March 8, 2011. (Doc. #35). Federal Rule of Civil Procedure 4(m) provides: "If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice." To date, plaintiff has not filed proof of service with the court as to these defendants.

Accordingly,

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...

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants Kexuan Yao,  
2 Wen Fengao, Weingang Zhao, Tao Pang, Heping Ma, and William Thomson are DISMISSED from  
3 this action without prejudice.

4 DATED March 17, 2011.

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7 UNITED STATES DISTRICT JUDGE  
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